DRAINAGE—*contd.*

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

A.—Under the Bengal Irrigation Act, 1876—*contd.*

Power to prohibit obstructions in, or order their removal from, river, stream or natural drainage-course; portion of river, etc., so dealt with becomes a "drainage-work"	Ben.Act3,1876,s.40.
Removal or modification of such obstructions, and recovery of cost	,, ss.41,42.
Preparation of scheme for works of improvement	,, s.43.
Compensation: claims for, how dealt with; limitation of claims	,, ss.44,45.
Power of officers to summon and examine witnesses . . .	,, s.92.
Penalties; removal of obstruction or repair of damage by convicted person; saving of prosecutions under other laws; compensation and rewards payable out of fines	,, ss.93to95, 97,98.
Making and publication of subsidiary rules	,, s.99.

B.—Under the Bengal Drainage Act, 1880.

1. PRELIMINARY.

Definitions	Ben.Act6,1880, s.3 (am. Ben.Act 2,1902,s.2).

2. DRAINAGE COMMISSIONERS.

Appointment, etc., of Commissioners to carry out scheme and plans for drainage and improvement of land	Ben.Act.6,1880,s.4.
Qualifications of Commissioners; proceedings not invalid for want of qualifications	
Chairman of Commissioners; appointment and powers of . .	,, ss.5,7,8,10.
Meetings of Commissioners	,, ss.6to9(*1*).
Delegation of powers of Commissioners to Committee of their number; meetings of Committee	,, s.9(2)to(*4*).
Officers and servants of Commissioners; appointment, etc., of .	,, s.10.
Cessation of functions of Commissioners when objects of their appointment fulfilled	,, s.11.

3. DRAINAGE-SCHEME.

Notification of	,, s.12, Sch.A.
Ascertainment of votes of landholders	,, ss.13to16.
If landholders of half the area to be improved have assented to adoption of scheme, Commissioners to consider it; adoption of scheme, in whole or in part; sanction of Local Government required to adoption	,, ss.17to19.
Modification of scheme by Commissioners	,, s.20.
Acquisition of land for carrying out scheme	,, s.21.
Power of Local Government—	
to have scheme carried out by special officer with advance from public funds	,, s.22.
to sanction modification of scheme on suggestion of such officer	,, s.23.
Compensation payable for damage caused by carrying out scheme	,, s.24.
Reports of progress and completion of works	,, ss.27,28.

DRAINAGE—*contd.*

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

B.—Under the Bengal Drainage Act, 1880—*contd.*

3. DRAINAGE-SCHEME—*contd.*

Expenses connected with carrying out scheme :

May be met by advances from public funds	Ben. Act 6, 1880,	s.25.
Interest on advances : rate of ; no compound interest	„	ss.26,26A.
Reports of expenditure ; certificate of Examiner of Accounts to be conclusive evidence as to advances	„	s.27.
Commissioners to classify lands benefited by works and to apportion cost of construction and interest	„	s.28.
Declaration as to liability to pay expenses where land benefited forms part of tenure	„	s.30.
Expenses a first charge on land benefited ; charge not avoided by sale for arrears of revenue or rent	„	s.31.
Publication, etc., of report describing apportionment	„	ss.32,34.
Making of apportionment and report thereof by Government officers in default of Commissioners	„	s.33.
Appeal against, and final determination of, apportionment	„	ss.35,36.
Power to add to, or alter, declaration as to names of persons liable to pay	„	s.36A.
Powers of Collector for recovery of apportioned sum	„	ss.37to40. 48,Sch.B.
Right of landholder to repay apportioned sum at any time	„	s.41.
Power to recover share of payments from co-sharers	„	ss.41A. 51B,51C.
Recovery of apportioned sum, with interest, by superior from inferior holder of land, by enhancement of rent or otherwise ; intervention of Collector	„	ss.42to 44,45.
Recovery, under the certificate procedure, of payments made in respect of land held by tenants	„	ss.44A, 45,51B,51C.
Bar to recovery of money from tenants in certain cases	„	s.44B.
Works to be subject to law relating to construction and maintenance of public embankments and public rivers, channels and outlets	„	s.46.
Bengal Embankment Act, 1882, not to apply to embankment, land or water-course under operation of Ben. Act 6, 1880	Ben. Act 2, 1882,	s.91.
Land acquired, and works, vested in Collector in behalf of Secretary of State	Ben. Act 6, 1880,	s.47.
Appointment or election of Committee of landholders to assist Collector in managing works	Ben. Act 6, 1880,	s.47.
Recovery of cost of maintenance of works	„	s.48.

Part-claims and charges in respect of the drainage schemes of Howrah and Rajapur :

Recovery of, under the certificate procedure	Ben. Act 2, 1902,	s.14.
Reduction of charges	„	s.15.
Refunding or crediting of reduction to landholder	„	s.16.
Proportionate reduction in amounts recoverable—		
by landholder from tenants	„	s.17.
by superior tenants from under-tenants	„	s.18.
Power to make rules as to reductions	„	s.19.

DRAINAGE—*contd.*

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

B.—Under the Bengal Drainage Act, 1880—*concld.*

4. SUPPLEMENTAL.

Treatment, for purposes of recovery of dues, of certain lands held free of rent or revenue	Ben. Act 6, 1880,	ss.50,51.
Recovery, under the certificate procedure, of payments made in respect of land held free of rent or revenue	,,	ss.51A to 51C.
Power of Collector to suspend recovery of dues in case of failure of crops; bar to jurisdiction of Courts; subsequent procedure; interest not to accrue during period of suspension	,,	ss.51D to 51J.
Power to direct that portion of adopted scheme shall be deemed a separate scheme	,,	s.54.
Powers of Commissioners and officers for taking evidence	,,	s.49.
Service of notices	,,	s.52.
Defects and irregularities not to invalidate proceedings	,,	ss.4,53.
Functions of Collector; conferral of, by Local Government, on other persons	,,	s.55.
,, ,, delegation of, by himself	,,	s.56.
General control of Commissioner, of Division over Drainage Commissioners and Collector	,,	s.57.
Making and publication of rules for carrying out provisions of Act	,,	s.58.
Application of Bengal Act 6, 1880, to works carried out under former law (Ben. Act 5, 1871)	,,	s.59.

C.—Under the Bengal Sanitary Drainage Act, 1895.

1. PRELIMINARY.

Definitions	Ben. Act 8, 1895,	ss.2,6,13.

2. DRAINAGE COMMISSIONERS AND JOINT COMMITTEES OF LOCAL AUTHORITIES.

Election and appointment of Commissioners, on application of District Board, when sanitary condition of land deteriorated by obstruction of drainage; qualifications of Commissioners	,,	s.3(*1*).
Designation of Commissioners; power to add to their number; filling of casual vacancies	,,	s.5.
Chairman of Commissioners; election of	,,	s.3(*2*).
Election of Joint Committee, where lands are subject to more than one Local Authority	,,	s.4(*1*).
Powers and proceedings of Joint Committee; payment of expenses by Local Authorities	,,	s.4(*2*).

3. DRAINAGE-SCHEME.

Engineer to prepare survey for restoration or improvement of drainage; Commissioners to prepare preliminary scheme; separate details to be shown for lands included in municipality	,,	s.6(*1*).
Collector to prepare statement of cesses and estimate of rate to provide for cost of construction and maintenance of works	,,	s.6(*2*).
Collector to invite objections to survey and preliminary scheme	,,	s.7,Sch.
Consideration of survey, scheme and objections by Commissioners and District Board	,,	ss.8,9.

DRAINAGE—*contd.*

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

C.—Under the Bengal Sanitary Drainage Act, 1895—*contd.*

3. DRAINAGE-SCHEME—*contd.*

If scheme rejected, District Board to pay expenses . . . Ben. Act 8, 1895, s.10.
Adoption of survey and preliminary scheme; calculation of rate to be imposed . . . . . ,, ss.11,12.
Local Government may approve, modify or reject scheme. . ,, s.14.
District Board may reconsider and alter scheme; powers of Local Government thereon . . . . . ,, s.15(1)
Publication of alterations in scheme . . . . . ,, s.15(2).
Acquisition of land for scheme . . . . . ,, s.16.
Works by whom to be carried out; powers of entry exerciseable by person executing work . . . . . ,, s.17.
Report of progress of works . . . . . ,, s.19.
Expenses connected with carrying out scheme:
Total cost what to include and how ascertained . . . . ,, ss.18,20.
Reports of expenditure . . . . . ,, s.19.
Proportionate payments where area benefited is under different Local Authorities . . . . . ,, s.19(2),(3).
Payment to be made by Municipal Commissioners when area benefited is under their control . . . . ,, s.25
Determination of rate for payment of . . . . ,, s.21.
Rate to be published and paid with road-cess; recovery of arrears . . . . . ,, s.22.
Recovery by superior from inferior holder of land of half the rate paid by the former . . . . . ,, ss.23,24.
Power of Municipal Commissioners to add to the tax on persons or the rate on holdings, to provide for payment of ,, s.25(2)
Power of Local Government to stay proceedings until scheme revised, when satisfied that cost has been erroneously estimated . . . . . ,, s.34.
Works to be subject to law relating to construction and maintenance of public embankments, rivers, channels and outlets . . . . . ,, s.26.
Land acquired, and works vested in District Board . . ,, s.28.

4. SUPPLEMENTAL.

Penalty for obstructing natural drainage . . . . . ,, s.27.
Powers of Commissioners and officers for taking evidence . . ,, s.29.
Defects and omissions not to invalidate proceedings . . . ,, s.30.
Powers of Collector; conferral of, by Local Government on other persons . . . . . ,, s.31.
,, ,, delegation of, by himself . . . . ,, s.32.
General control of Commissioner of Division over Drainage Commissioners and Collector . . . . . ,, s.33.
Making and publication of rules for carrying out provisions of Act ,, s.35.

II.—BOMBAY PRESIDENCY.

Definitions . . . . . Bom. Act 7, 1879, s.3.
Appointment of officers, etc. . . . . ,, s.4.

DRAINAGE—*contd.*

II.—BOMBAY PRESIDENCY—*contd.*

Power to prohibit obstructions in, or order their removal from, river, stream or natural drainage-course; portion of river, etc., so dealt with becomes a "drainage-work" . . . . . Bom. Act 7, 1879, s. 12.

Removal or modification of such obstructions, and recovery of cost . . . . . „ ss. 13, 14.

Preparation of scheme for works of improvement . . . . „ s. 15.

Compensation: in what cases payable for damage caused by exercise of powers under Act; limitation of claims; adjudication of claims; payment when to be made; interest when allowed on payments . . . . . „ ss. 31, 32, 38 to 41.

Penalties; removal of obstruction or repair of damage by convicted person; saving of prosecutions under other laws; reward of informers . . . . . „ ss. 61, 63, 65, 66.

Appeal and supervision . . . . . „ s. 67.

Power of officers to summon and examine witnesses . . . . „ s. 68.

Service of notices . . . . . „ s. 6.

Making and publication of subsidiary rules . . . . . „ s. 70.

III.—BURMA.

Definitions . . . . . Bur. Act 2, 1905, s. 3.

Appointment of officers, etc. . . . . „ s. 5.

Power to prohibit obstructions in, or order their removal from, river, stream or drainage-channel; portion of river, etc., so dealt with becomes "drainage-work" . . . . . „ s. 59.

Removal or modification of obstruction, and recovery of cost . „ s. 60.

Preparation of scheme for works of improvement . . . „ ss. 61, 62.

Compensation for loss caused by removal of obstruction or carrying out of works; disposal of claim; limitation of claim . „ s. 65.

Rates on lands benefited by drainage-works; recovery of rates . „ ss. 63, 64, 80.

Procedure for obtaining labour and materials for drainage works on emergency; payment; compensation . . . . „ ss. 66 to 71.

Power of officer making inquiry to summon and examine witnesses; inquiry to be deemed judicial proceeding . . . „ s. 74.

Jurisdiction of Civil Courts in respect of claims against Government for anything done under Act . . . . . „ s. 72.

Offences and penalties; compensation to person injured by offence against Act; arrest without warrant . . . . . „ ss. 75, 76, 78.

Making and publishing of rules; penalty for breach of rule . „ s. 79.

IV.—CENTRAL PROVINCES, SAMBALPUR DISTRICT (BENGAL), NORTH-WEST FRONTIER PROVINCE, PUNJAB AND UNITED PROVINCES.

Definitions . . . . . Act 8, 1873, ss. 3, 55, 63.

Appointment of officers, etc. . . . . „ s. 4.

Power of Local Government to declare that water will be applied or used for purposes of drainage-work; consequences to ensue on such declaration (*for details see* IRRIGATION, V, 2) . . . . . „ ss. 5 to 13.

„ to prohibit obstructions in, or order their removal from, river, stream or drainage-channel; portion of river, etc., so dealt with becomes a "drainage-work" . „ s. 55.

DRAINAGE—*concld.*

IV.—CENTRAL PROVINCES, SAMBALPUR DISTRICT (BENGAL), NORTH-WEST FRONTIER PROVINCE, PUNJAB AND UNITED PROVINCES—*contd.*

Removal of such obstructions, and recovery of cost . . . Act8,1873,s.56.
Preparation of schemes for works of improvement . . . „ ss.57,58.
Procedure for obtaining labour for works on emergency . . „ ss.63to66.
Compensation: claims for, how dealt with; limitation of claims „ ss.61,62.
Rate on lands benefited by works; imposition and recovery of . „ ss.59,60.
Jurisdiction of Civil Courts . . . . . „ s.67.
Power of officers to summon and examine witnesses . . . „ s.69.
Penalties; prosecutions under other laws; compensation payable out of fines; arrest; making and publication of subsidiary rules . . . . . „ ss.70to73,75.

V.—MADRAS PRESIDENCY.

Act I, 1858, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . . . Act15,1874,s.4.
Penalty on villagers who are bound by custom to contribute labour for purpose of drainage-work refusing to comply with requisition for labour . . . . . Act1,1858,s.6.

DRAINS.

To be managed by Local Self-Government Boards. *See* LOCAL SELF-GOVERNMENT, III, 3; VII, 3; IX, 3.

DRAINS, LATRINES AND OTHER RECEPTACLES FOR FILTH.

Regulation of, in municipalities:
See under MUNICIPALITY (*sub-heading* "The Public Health, Safety and Convenience").
Regulation of, in Aden, *see* ADEN, 3.
Regulation of, in bazars in British Baluchistan, *see* BRITISH BALUCHISTAN, II, 6 (*f*).

DRAMATIC COPYRIGHT ACT, 1833[1] (*See* COPYRIGHT, 2) . 3-4W.4,c.15.
DRAMATIC PERFORMANCES ACT, 1876 (*See* DRAMATIC PERFORMANCE) . . . . . Act19,1876.

DRAMATIC PERFORMANCE.

Act 19, 1876, extends to whole of British India . . . Act19,1876,s.1.
„ „ declared in force in Upper Burma generally, except the Shan States (with modifications and with the exception of s. 12) . . . . . Act13,1898,s.4,Sch.
Power of Local Government or specially empowered Magistrate to prohibit public performance of scandalous, etc., play; procedure and penalties . . . . . Act19,1876,ss.3to9.
Power of Local Government in specially notified areas to prohibit public performance of play without license, or until play submitted for official inspection; penalty for disobedience . . „ s.10.
Penalty for holding, etc., unlicensed *pwè* in any town or village tract in Burma . . . . . Bur.Act3,1907,s.11. Bur.Act6,1907,s.21.
Copyright in dramatic pieces. *See* COPYRIGHT, 2 (*b*), 5 (*a*).

DRINK. *See cross-references from* FOOD AND DRINK.

DRUGS.

Punishment of offences relating to . . . . . Act45,1860,ss.274to276.

[1] This short title was given by 59 & 60 Vict. c. 14.